

File No.: 31162A

REMARKS

The Examiner has rejected claims 1, 8 and 12 under 35 U.S.C. §102 under the Carlstrom abstract. Applicant has amended independent claim 1 to recite a daily dosage of at least "0.3" mg levonorgestrel. Applicant submits that this obviates the rejection under 35 U.S.C. §102. Applicant has also amended claim 9 to it independent in form. Amended claim 9 requires an EE equivalent that does not exceed 15 mcg and at least 0.25 mg of levonorgestrel. Those limitations also would avoid the Carlstrom abstract.

The Office has rejected claims 1-5 and 8-26 under 35 U.S.C. as being unpatentable over Cohen in view of Gast. Applicant respectfully traverses that rejection. Cohen teaches a broad range of dosages and does not teach the numerical combinations recited in applicants' claims. Applicant's claim require low numerical dosages of estrogen, with high numerical dosages of levonorgestrel. Neither Cohen nor Gast provide this teaching, nor do they provide any reason to arrive at the claimed combination of dosages.

Applicant also traverses the double patenting rejection of claims 1-26. The art recognizes that norgestrel and levonorgestrel as distinct products. Applicant submits that the Examiner has not provided any basis for stating that levonorgestrel and norgestrel are equivalents in this field.

Applicant respectfully submits that the Claims 1 and 3-26 are allowable.

Respectfully submitted,



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